



March 20, 2009

ENGROSSED SENATE BILL No. 228

DIGEST OF SB 228 (Updated March 18, 2009 9:44 am - DI 109)

Citations Affected: IC 9-21.

Synopsis: End of route inspection by bus drivers. Requires the operator of a school bus or special purpose bus to visually inspect each seat within the bus at the end of each trip during which passengers are transported to determine that no passengers remain on the bus. Requires the owner of a school bus or special purpose bus to report each incident in which a passenger is left on the bus to the superintendent or superintendent's designee. Requires the superintendent or superintendent's designee to report each incident in which a passenger is left on the bus to the department of education. Makes a violation of these provisions a Class C infraction.

Effective: July 1, 2009.

**Lubbers, Wyss, Sipes, Rogers,
Becker**

(HOUSE SPONSORS — PORTER, BEHNING)

January 7, 2009, read first time and referred to Committee on Education and Career Development.

January 22, 2009, reported favorably — Do Pass.

January 26, 2009, read second time, ordered engrossed. Engrossed.

January 27, 2009, read third time, passed. Yeas 37, nays 11.

HOUSE ACTION

February 25, 2009, read first time and referred to Committee on Education.

March 19, 2009, amended, reported — Do Pass.

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ES 228—LS 7209/DI 71+



March 20, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 228

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-21-12-11, AS AMENDED BY P.L.107-2006,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2009]: Sec. 11. (a) A person who violates section 5, 6, ~~or 7~~, or
4 **19** of this chapter commits a Class C infraction.
5 (b) A person who knowingly or intentionally violates section 12, 13,
6 14, 15, 16, or 17 of this chapter commits a Class C misdemeanor.
7 (c) A person described in section 18(b), 18(c), or 18(d) of this
8 chapter commits a Class B infraction.
9 SECTION 2. IC 9-21-12-19 IS ADDED TO THE INDIANA CODE
10 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
11 1, 2009]: **Sec. 19. (a) A person who operates a school bus or a**
12 **special purpose bus shall visually inspect each seat within the**
13 **interior of the school bus or special purpose bus at the end of a trip**
14 **during which students or passengers are transported to determine**
15 **that no student or passenger has remained on the school bus or**
16 **special purpose bus.**
17 (b) The visual inspection required under subsection (a) must be

ES 228—LS 7209/DI 71+



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- 1 conducted:
- 2 (1) at the conclusion of each trip during which students or
- 3 passengers are transported; and
- 4 (2) before the operator exits the school bus or special purpose
- 5 bus.
- 6 (c) A student or passenger is considered to have been left on a
- 7 school bus or special purpose bus if:
- 8 (1) the operator has reached the end of a trip during which
- 9 students or passengers are transported and exited the school
- 10 bus or special purpose bus; and
- 11 (2) the student or passenger remains inside the school bus or
- 12 special purpose bus.
- 13 (d) A school bus or special purpose bus owner shall report all
- 14 instances of a student or passenger being left on the school bus or
- 15 special purpose bus to the superintendent or the superintendent's
- 16 designee immediately after the incident occurred.
- 17 (e) The superintendent or the superintendent's designee shall
- 18 report all instances of a student or passenger being left on the
- 19 school bus or special purpose bus to the department of education
- 20 not later than five (5) working days after the incident occurred.

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COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 228, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 228 as introduced.)

LUBBERS, Chairperson

Committee Vote: Yeas 7, Nays 0.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 228, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 14, after "which" insert **"students or"**.

Page 2, line 2, after "which" insert **"students or"**.

Page 2, line 8, delete "transportation route" and insert **"trip during which students or passengers are transported"**.

Page 2, line 14, delete "department of education not later than" and insert **"superintendent or the superintendent's designee immediately"**.

Page 2, line 15, delete "five (5) working days".

Page 2, after line 15, begin a new paragraph and insert:

"(e) The superintendent or the superintendent's designee shall report all instances of a student or passenger being left on the school bus or special purpose bus to the department of education not later than five (5) working days after the incident occurred."

and when so amended that said bill do pass.

(Reference is to SB 228 as printed January 23, 2009.)

OXLEY, Chair

Committee Vote: yeas 12, nays 0.

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